

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

OFFICE OF SPECIAL MASTERS

(Filed: July 19, 2007)

DO NOT PUBLISH

MICHELLE SHAFFER,)	
mother and natural guardian of her daughter,)	
NICOLE SHAFFER,)	
)	
Petitioner,)	
)	
v.)	No. 03-0349V
)	Attorneys' Fees; Attorneys' Costs
SECRETARY OF)	Personal Expenses
HEALTH AND HUMAN SERVICES,)	
)	
Respondent.)	

DECISION ON ATTORNEYS' FEES, ATTORNEYS' COSTS
AND PERSONAL EXPENSES¹

Petitioner, Michelle Shaffer (Ms. Shaffer), as mother and natural guardian of her daughter, Nicole Shaffer (Nicole), seeks an award of \$110,582.56 in attorneys' fees, attorneys' costs and personal expenses as defined by General Order No. 9 for an action that she pursued successfully under the National Vaccine Injury Compensation Program (Program).² *See generally* Application for Attorneys' Fees and Costs (Fee Petition), filed July 17, 2007. Respondent does not object. *See* Status Report, filed July 18, 2007. The Act mandates the award of "reasonable attorneys' fees" and "other costs" because Ms. Shaffer received Program compensation. § 300aa-15(e)(1). The special

¹ As provided by Vaccine Rule 18(b), each party has 14 days within which to request redaction "of any information furnished by that party (1) that is trade secret or commercial or financial information and is privileged or confidential, or (2) that are medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of privacy." Vaccine Rule 18(b). Otherwise, "the entire decision" will be available to the public. *Id.*

² The statutory provisions governing the Vaccine Program are found in 42 U.S.C. §§ 300aa-10 *et seq.* For convenience, further reference will be to the relevant section of 42 U.S.C.

master has considered carefully Ms. Shaffer's Fee Petition. The special master determines that the Fee Petition is appropriate.

In the absence of a motion for review filed under RCFC Appendix B, the clerk of court shall enter judgment in Ms. Shaffer's favor for \$110,582.56. The judgment shall provide that Ms. Shaffer's attorney of record, Clifford J. Shoemaker, Esq. (Mr. Shoemaker), may collect \$110,108.77 from Ms. Shaffer.³ Under Vaccine Rule 11(a), the parties may expedite entry of judgment by filing a joint notice renouncing the right to seek review.

s/John F. Edwards
John F. Edwards
Special Master

³ \$110,582.56 - \$473.79 for Ms. Shaffer's personal expenses as defined by General Order No. 9. *See* Fee Petition, Exhibit 1.